REMARKS

1.   Applicant thanks the Examiner for the Examiner's comments which have greatly assisted Applicant in responding.

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2.   **35 U.S.C. §112, second paragraph.**

The Examiner maintained the rejection of Claims 46 and 69 because the phrase objected to were not omitted. Applicant submits that such omission was an unintended

10   oversight. Applicant submits herewith amended claims from which the phrase "but are not limited to" has been deleted. Accordingly, Claims 46 and 69 have been amended to overcome the rejection under 35 USC 112.

3.   **35 U.S.C. §103.**

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(a)   Claim Rejections- 35 USC 103. Claims 1-2, 4-5, 8-10, 12-13, 16-17, 34-38, 40-47, 49-52, 57-61, 63-72, and 75 have been rejected under 35 USC 103 as being unpatentable in view of Courts et al., in view of Harrison et al.

20   Applicant respectfully traverses.

Regarding independent Claims 1 and 9, the Claims were amended to further clarify the invention. The amendment to Claims shows more clearly that the invention comprises an integrating system and method for decision service. (See the Specification on pages

25   17, line 18 through bottom of page 19). The claims system and method "offers the unique combination of a totally flexible rule-authoring system, proprietary and non-proprietary analytics, and a usage-based ASP mode of delivery." (See the Specification on page 7, lines 17-19).

30   In stark contrast, the prior art of reference fail to teach or suggestion alone or in combination at least the following limitations of Claims 1 and 9:

- 19 -

a user linking to a first computer system having project design
software via the Internet or a virtual private network and for using said project
design software, designing any of or any combination of rules, models, and/or

5   strategies, wherein said project design software further comprises capability for
inserting a champion/challenger experiment for testing a new strategy;

when said user is satisfied with said any of or any combination of
·rules, models, and/or strategies, passing control to a code generator server and
for generating strategy service software code for use in production in said ASP

10   environment;

said code generator server generating strategy service software for
installation installing said strategy service software on a decision server for
executing said rules, models, and/or strategies;
as well as

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an end user sending input data to said decision server via a Web
server that delivers[[.]] said input data in ASP mode to for processing using said
decision server;

said decision server processing said input data according to said

20   installed any of or any combination of rules, models, and/or strategies and
creating corresponding output data;

said decision server returning said created output data to said Web
server in XML format;.

25   For example, the prior art of reference fail to teach or suggest alone or in combination
project design software or the equivalent. The prior art of reference fail to teach or
suggest alone or in combination installing said strategy service software as defined in
the Claim and in the patent application on a decision server. The prior art of reference
fail to teach or suggest alone or in combination an end user sending input data to said

30   decision server via a Web server that delivers said input data in ASP mode to said
decision server and said decision server returning said created output data to said Web

- 20 -

server in XML format. Applicant has looked at the prior art of reference but has not found what is stated in Claims 1 and 9.

Regarding independent Claim 17, the prior art of reference fail to teach or suggest
5   importing analytical models. In addition, the Examiner cited all of Claim 1 to Courts for evidence. Applicant has carefully read Claim 1 to Courts and does not see anywhere where such limitation is taught. Applicant is of the opinion that the Examiner is incorrect in interpreting the limitation as to be found in Courts' Claim 1. If Applicant is incorrect, Applicant respectfully requests that the Examiner point out what step it is in Claim 1 that
10   the Examiner interpreting to be the equivalent to the claimed "importing analytical models."

Regarding Claims 34 and 57, the Examiner's position is that these claims were rejected on the same rationale as for Claims 2, 4, 5, and 17. Applicant is of the opinion that in
15   view of the discussion hereinabove for Claims 1 and 9 and in view of invoking §112, sixth paragraph where the structure described in the Specification can be brought into the claim interpretation, the prior art of reference alone or in combination fail to teach all the limitations of Claim 34, such as for example (emphasis added):

20   means for **configuring, testing, and deploying** said all-purpose decision engine; and

                means for champion/challenger testing **in a strategy design cycle**;

                wherein **said configured decision engine is embeddable in a business software application.**

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(b)   Regarding independent Claims 18 and 26, the primary prior art of reference for rejection are both Courts and Harrison.

For the same rationale as for Claims 1 and 9, the prior art of reference fail to teach or
30   suggest alone or in combination all of the claim limitations of Claims 18 and 26. For example, the Examiner cited all of Courts' Claim 1 as evidence that the limitation,
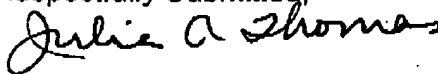
- 21 -

"providing a designer component, said designer component providing means for designing rules, models, and strategies by using a project design, wherein said project design further comprises capability for inserting a champion/challenger experiment for testing a new strategy;" is taught. However, Claims 1 to Courts does not teach this

5 limitation. Courts' Claim 1 claims layers, but none of those layers are provide a designer component, providing means for designing rules... by using a project design, etc. Applicant is of the opinion that the Examiner is incorrect and, if the Examiner disagrees, Applicant respectfully requests that the Examiner provide the Examiner's rationale behind the Examiner's interpretation, perhaps including what feature in Courts

10 that the Examiner interprets to be equivalent to the features of the invention as claimed.

Therefore, in view of the discussion hereinabove, Applicant is of the opinion that independent Claims as amended, and hence the dependent Claims, are in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner withdraw the

15 rejection under 35 U.S.C. §103(a).

4. It should be appreciated that Applicant has elected to amend the Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such

20 amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

25 Should the Examiner deem it helpful, she is encouraged to contact Applicant's Agent, Julia A. Thomas, at (650) 474-8400.

Respectfully Submitted,

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- 22 -